

KARIN B. SWOPE
Internet: kswope@wsgr.com
Direct Dial: 206-883-2567

February 14, 2006

VIA FACSIMILE AND FEDERAL EXPRESS

Tal O. Vigderson
1961 Myra Avenue
Los Angeles, CA 90027

Re: Mondo Media — "Happy Tree Friends"

Dear Mr. Vigderson:


We represent YouTube, Inc., and are responding to your letter of February 2, 2006. YouTube is a consumer media company for sharing original videos through the World Wide Web. YouTube takes the rights of intellectual property owners seriously, and complies as a service provider with all provisions of the Digital Millennium Copyright Act. Pursuant to the DMCA, we agree to remove material that is claimed to be infringing. However, such notification must meet the requirements of 17 U.S.C. § 512(c)(3)(A).

Specifically, while your letter provides search links for Episode Titles, we need confirmation that all tags in the searches listed on page 3 of your February 2, 2006 letter infringe upon copyrights owned by you. Alternatively, in the event that there are video clips within the searches that are original works that do not infringe on your copyright, we will need a list of those exceptions in the searches. We endeavor to work with you to protect your intellectual property rights. To that end, and to expedite the process, please do not hesitate to call me so that we can work with you in removing material copyrighted by Mondo Media.

If you have any questions, please do not hesitate to contact me.

Sincerely,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation


Karin B. Swope

cc: YouTube, Inc.
Cathy Kirkman, Esq., Wilson Sonsini Goodrich & Rosati

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February 14, 2006

VIA FACSIMILE AND FEDERAL EXPRESS

Steve Kang
Anti-Piracy Legal Affairs
NBC Universal, Inc.
100 Universal City Plaza
Universal City, CA 91608

Re: NBC Universal Copyrighted Material

Dear Mr. Kang:

We represent YouTube, Inc., and are responding to your letter of February 3, 2006 regarding the removal from our website of copyrighted NBC Universal properties. As you know, YouTube is a consumer media company for sharing original videos through the World Wide Web. YouTube respects the intellectual property rights of all third-parties, and complies as a service provider with all provisions of the Digital Millennium Copyright Act. YouTube does not permit intellectual property infringing content or user submissions on its website and has no interest in harboring any materials owned by NBC Universal.

YouTube will immediately remove such infringing content upon notification pursuant to the requirements of 17 U.S.C. § 512(c)(3)(A). Unfortunately, your letter of February 3, 2006 is deficient under the DMCA. Specifically, it does not provide information "reasonably sufficient to permit the service provider to locate the material." 512(c)(3)(A)(iii). By way of example, you cite *Will & Grace*, *The Tonight Show with Jay Leno*, *Late Night with Conan O'Brien*, *Surface*, *Dateline*, *The Today Show*, and *Law & Order* as NBC copyrighted material that is on our site. However, you provide no information as to where these clips are on our website. YouTube has a million webpages, and we are not able to search the entire site for infringing works. Accordingly, we request that you provide detailed information, such as all the URL links, to the infringing content and we will promptly remove the infringing content. If you choose to provide search links, please be sure to include the exceptions within the search that do not infringe on your copyrighted material, i.e. parodies or other original works that happen to share the name of your shows, but do not infringe upon them.

We are happy to work with you to remove NBC Universal properties on the YouTube website.

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Wilson Sonsini Goodrich & Rosati
PROFESSIONAL CORPORATION

NBC Universal, Inc.
February 14, 2006
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We look forward to hearing from you. If you have any questions, please do not hesitate to contact me.

Sincerely,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

A handwritten signature in black ink, appearing to read "K-B Swope", with a stylized flourish at the end.

Karin B. Swope

cc: YouTube, Inc.
Cathy Kirkman, Esq., Wilson Sonsini Goodrich & Rosati

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